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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) No. CR-10-00659 DLJ
14 Plaintiff,) STIPULATED REQUEST TO CONTINUE
15 v.) HEARING DATE TO FEBRUARY 11,
16 CORNELL WILLIAM MAXEY JR.,) 2011 AND TO EXCLUDE TIME UNDER
17 Defendant.) THE SPEEDY TRIAL ACT; ORDER
Date: January 21, 2011
Time: 9:00 a.m.
Court: Hon. D. Lowell Jensen

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20 The above-captioned matter is set on January 21, 2011 before this Court for a status
21 hearing. The Court, however, is not available on January 21, 2011. The parties, therefore,
22 request that this Court continue the hearing to February 11, 2011 at 9:00 a.m., and that the Court
23 exclude time under the Speedy Trial Act between the date of this stipulation and February 11,
24 2011.

25 Defendant requested that the government obtain additional documents or recordings from
26 the Oakland Police Department; the government has been searching for the requested
27 information. Defendant needs additional time to review the discovery that has been produced
28 and to investigate this matter. Additionally, defendant needs time to research potential legal

STIP. REQ. TO CONTINUE HEARING DATE TO FEBRUARY 11, 2011 AND TO EXCLUDE TIME
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issues in connection with any potential motions with respect to this matter. The parties agree the ends of justice served by granting the continuance outweigh the best interests of the public and defendant in a speedy trial. Therefore, the parties further stipulate and request that the Court exclude time between the date of this stipulation and February 11, 2011 under the Speedy Trial Act for effective preparation of counsel, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

DATED: January 20, 2011

/s/
JAMES C. MANN
Assistant United States Attorney
Counsel for United States

JOYCE LEAVITT /s/
Counsel for Cornell William Maxey Jr.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

11 UNITED STATES OF AMERICA,) No. CR-10-00659 DLJ
12 Plaintiff,) ORDER GRANTING STIPULATED
13 v.) REQUEST TO CONTINUE HEARING
14 CORNELL WILLIAM MAXEY JR.,) DATE TO FEBRUARY 11, 2011 AND TO
15 Defendant.) EXCLUDE TIME UNDER THE SPEEDY
16) TRIAL ACT
17) Date: January 21, 2011
18) Time: 9:00 a.m.
19) Court: Hon. D. Lowell Jensen

The parties jointly requested that the hearing in this matter be continued from January 21, 2011 (as the Court is not available) to February 11, 2011, and that time be excluded under the Speedy Trial Act between January 20, 2011 and February 11, 2011 to allow for the effective preparation of counsel, taking into account the exercise of due diligence.

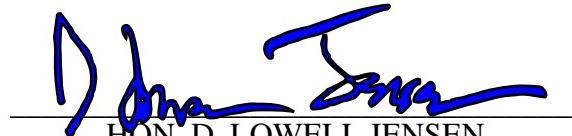
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STIP. REQ. TO CONTINUE HEARING DATE TO FEBRUARY 11, 2011 AND TO EXCLUDE TIME
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1 defendant in a speedy trial. For these stated reasons, the Court finds that the ends of justice
2 served by granting the continuance outweigh the best interests of the public and defendant in a
3 speedy trial. Good cause appearing therefor, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and
4 (B)(iv),

5 **IT IS HEREBY ORDERED** that the status hearing in this matter is continued from
6 January 21, 2011 to February 11, 2011 at 9:00 a.m., and that time between January 20, 2011 and
7 February 11, 2011 is excluded under the Speedy Trial Act to allow for the effective preparation
8 of counsel, taking into account the exercise of due diligence.

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10 DATED:January 25, 2011



HON. D. LOWELL JENSEN
United States District Judge

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